

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BRIAN J. BEUNING,

CIVIL NO. 05-70065

Plaintiff,

ARTHUR J. TARNOW  
UNITED STATES DISTRICT JUDGE

v.

ALBION MOTORS, INC., d/b/a,  
ALBION MOTORS BIG LOT,

VIRGINIA M. MORGAN  
UNITED STATES MAGISTRATE JUDGE

Defendant.

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**ORDER GRANTING DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT [D/E 11] AND FOR ENTRY OF  
JUDGMENT AND TRANSFER PURSUANT TO STIPULATION [D/E 14]**

The Court having been presented with a stipulation [D/E 14] for entry of an Order for Summary Judgment and Transfer of Remaining Causes of Action to the 12<sup>th</sup> Judicial District for the State of Michigan and the Court being otherwise fully advised in the premises,

IT IS HEREBY ORDERED that Defendant's motion for summary judgment [D/E 11] is GRANTED with prejudice and without costs to either party.

IT IS FURTHER ORDERED that the remaining causes of action, namely, Plaintiff's claims under Michigan's deceptive practices statute, fraudulent misrepresentation, and revocation, are hereby transferred to the 12<sup>th</sup> Judicial District, in and for the County of Jackson, State of Michigan, for further proceedings.

SO ORDERED.

s/Arthur J. Tarnow

Arthur J. Tarnow  
United States District Judge

Dated: November 9, 2005

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 9, 2005, by electronic and/or ordinary mail.

s/Teresa E. Taylor  
Case Manager